

Message Text

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ORIGIN L-03

INFO OCT-01 AF-08 ISO-00 JUSE-00 EB-08 COME-00 TRSE-00
SEC-01 FTC-01 PRS-01 CIAE-00 INR-07 NSAE-00 SS-15
NSC-05 SP-02 SSO-00 NSCE-00 INRE-00 /052 R

DRAFTED BY L/AF:MJMATHESON:CDJ

APPROVED BY AF/E:RSPOST

JUSTICE:JKEENEY

L/NEA:WRHODES

L/EB:SBENSON

-----220022Z 004860 /75-61

O 212347Z JAN 77

FM SECSTATE WASHDC

TO AMEMBASSY KHARTOUM IMMEDIATE

C O N F I D E N T I A L STATE 014362

E.O. 11652: GDS

TAGS:PFOR, SU, US

SUBJECT:GOS REQUEST FOR INFO IN BOEING BRIBERY CASE

REFS: (A) KHARTOUM 154 (B) KHARTOUM 218

1. FYI: LIST OF 18 PERSONS MENTIONED IN REF (A) IS
CONTAINED IN SUBPOENA ISSUED BY SEC IN COURSE OF ITS
INQUIRY INTO ALLEGATIONS OF ILLEGAL BOEING PAYMENTS TO
FOREIGN GOVT OFFICIALS IN CONNECTION WITH BOEING'S
FOREIGN OPERATIONS. SUBPOENA REQUIRES BOEING TO PRO-
VIDE ANY DOCUMENTS RELATING TO PERSONS ON LIST. PORTION
OF SUBPOENA CONTAINING LIST IS PRESENTLY UNDER SEAL BY
ORDER OF DISTRICT COURT, AND COURT OF APPEALS IS CON-
SIDERING WHETHER SEAL SHOULD REMAIN IN EFFECT. ON
JANUARY 5 COURT OF APPEALS WAS ADVISED OF STATE DEPT'S
VIEW THAT NAMES LISTED "ARE THOSE OF OFFICIALS OF
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FOREIGN GOVERNMENTS, OR OF PERSONS CLOSELY ASSOCIATED
WITH THEM.... IT IS OUR CONCLUSION THAT IN THE
CONTEXT OF THIS SUBPOENA AND AT THIS STAGE OF INVESTI-
GATION INTO ALLEGATIONS OF BRIBERY INVOLVING AGENTS OF
AMERICAN COMPANIES AND FOREIGN OFFICIALS, THE DISCLOSURE
OF SUCH NAMES IS LIKELY TO GIVE RISE ABROAD TO ADVERSE

AND UNCORROBORATED CHARGES, PREJUDICIAL TO THE RIGHTS OF THE INDIVIDUALS CONCERNED, WHICH COULD REASONABLY BE EXPECTED TO CAUSE DAMAGE TO THE FOREIGN RELATIONS OF THE UNITED STATES." ACCORDINGLY, DEPT WOULD DECLINE PUBLIC COMMENT ON SPECULATION IN U.S. PRESS (INCLUDING ALLEGED STATEMENT OF BOEING ATTORNEY THAT LIST INCLUDES "CONSULTANTS" FROM SUDAN AND OTHER COUNTRIES) AS TO IDENTITY OF PERSONS ON LIST. END FYI.

2. YOU SHOULD THEREFORE INFORM APPROPRIATE GOS OFFICIALS AS FOLLOWS: INFORMATION REFERRED TO IN REF (A) IS PRESENTLY UNDER SEAL BY ORDER OF U.S. COURTS. HOWEVER, USG FULLY DESIRES TO ASSIST FOREIGN GOVTS IN THEIR EFFORTS TO PROMOTE JUSTICE IN THESE COMPLEX CASES, AND USG HAS THEREFORE ESTABLISHED MECHANISM THROUGH U.S. DEPT OF JUSTICE TO CONCLUDE PROCEDURAL AGREEMENTS WITH THE APPROPRIATE LAW-ENFORCEMENT AGENCY OF INTERESTED FOREIGN GOVTS FOR DIRECT EXCHANGE OF SUCH CONFIDENTIAL RELEVANT INFORMATION AS MAY BECOME AVAILABLE. EACH SUCH AGREEMENT IS CONDITIONED UPON RECIPROCITY AND CONFIDENTIALITY; ALL INFORMATION MUTUALLY EXCHANGED IS RESTRICTED TO THE CONFIDENTIAL USE OF LAW ENFORCEMENT AGENCIES ONLY -- UNTIL NEEDED IN THE COURSE OF A PUBLIC TRIAL. THESE RESTRICTIONS ARE FOR THE PURPOSE OF PROTECTING INDIVIDUAL RIGHTS AND THE INTEGRITY OF THE CRIMINAL INVESTIGATIVE AND PROSECUTORIAL PROCESS. SUCH INFORMATION CONCERNING OTHER U.S. COMPANIES HAS BEEN EXCHANGED WITH OTHER GOVTS PURSUANT CONFIDENTIAL

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TO SUCH AGREEMENTS.

3. SHOULD GOS DESIRE SUCH PERTINENT INFORMATION NOT IN THE PUBLIC RECORD CONCERNING THE BOEING CASE AS MIGHT BE DISCOVERED IN THE COURSE OF THE CURRENT INVESTIGATION, IT SHOULD REQUEST NEGOTIATIONS FOR THE CONCLUSION OF A PROCEDURAL AGREEMENT FOR THE EXCHANGE OF SUCH INFORMATION BETWEEN OUR RESPECTIVE DEPTS OF JUSTICE. SUCH A REQUEST CAN INITIALLY BE MADE THROUGH THE GOS EMBASSY IN WASHINGTON. HOWEVER, THE DEPT OF JUSTICE WOULD REQUIRE THE PARTICIPATION OF A GOS MINISTRY OF JUSTICE OFFICIAL IN THE ACTUAL NEGOTIATIONS. WE WILL SEND TO YOU BY AIR POUCH COPY OF STANDARD AGREEMENT WE HAVE WITH OTHER COUNTRIES FOR THIS PURPOSE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
Copy: SINGLE
Sent Date: 21-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: MJMATHESON:CDJ
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Expiration:
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Format: TEL
From: STATE
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770128/aaaaaymt.tel
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vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/59c9b7d2-c288-dd11-92da-001cc4696bcc
Review Markings:
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